

J. Walker, Dem., the leader of the Senate Democrats. "It is nothing more than the forcing of an issue. If the editor of the Sun didn't write the message, he helped a whole lot." Assemblyman George N. Jones, Republican, of the 23rd Manhattan District, said: "Based on false premises, the message is an adroit argument for an increased fare."

The Jenks bills seek to take the power of fare fixing of the city service out of the hands of the city and vest it in the keeping of the Public Service Commission. Gov. Miller in his message recommends that:

"Complete power should expressly be vested in the commission regardless of local consents or contracts." He recommends that a Commission of Three be created with complete jurisdiction over the subject of transit in the First District (Greater New York); that the powers under the Public Service Commission Law and the Rapid Transit Act be transferred to it, with such amendment as further study may suggest, and that the former independence of municipal control be restored, regardless of the provisions of local consents or prior contracts."

#### PUBLIC TRANSIT SHOULD BE UNDER A SINGLE AGENCY.

Further, that the Public Service Commission Law be amended so as to make the rules uniform as to all public utilities, "including the power to suspend rates pending a hearing and determination."

The Governor believes, "in view of the time required for some rate determinations, there should doubtless be power to prescribe temporary rates pending such determination."

He recommends, also, that jurisdiction over all other public utilities in the State be conferred on the present Commission for the Second District. Five commissioners may be necessary for the work.

He advocates a single fare plan and a unified system of the city's transit lines.

The conclusion is irresistible, says the Governor, that the authority and responsibility to deal with the transit problem must be completely centered in some single agency, and that that cannot be the Board of Estimate and Apportionment, which, under the present law, guards the city's interest in its railroads. Without implying any personal reflection, the Chief Executive says that "it is common knowledge that that body is unable now properly to function and dispose of the matters coming before it."

To the city is reserved the power to give the constitutional consent to routes and, of course, to pledge the credit of the city.

This would also eliminate the Transit Construction Commission, the Governor believing that the three-headed authority—the Transit Commission and the Board of Estimate and Public Service Commission—has resulted in increased expense and division and uncertainty of authority.

Transit, says the Governor, is a public function, intimately affecting the public welfare, and the regulation of it is within the police power of the State.

"The colossal nature of the problem and the general interest affected by it," he adds, "are indicated by the fact that there are upward of \$450,000,000 of New York City Transit bonds held by the public, including the \$200,000,000 of city bonds."

"The present problem has a background of crooked financing, which now subjects it to popular distrust and prejudice, easily aroused by the wiles of the demagogues. Do you know the wily demagogue? There are 4,000,000 of him, and you usually see him with his hand up above his head. He is the straphanger. You men from up State don't know what it is to hang to a strap, but we do."

"Gov. Miller says that ultimately the traction lines must be owned by the city. Why not now? There is the solution to the problem. The Board of Estimate knows that the lines can be operated on a 5-cent fare, and the city is ready to take over the roads and operate them for a 5-cent fare and make money on them."

Senator Walker and Assemblyman Charles D. Donohue, minority leader in the Lower House, announced today that the Democrats in the Legislature have decided to support vigorously the original proposal of the Lockwood committee, giving that body full powers to examine the affairs of banks and insurance companies, and that the Democrats will oppose with equal vigor all bills looking to increased railroad fares. The statement continues:

"Gov. Miller in his annual message recommended a single headed Tax Department in place of the present triple-headed Tax Commission. In the message transmitted to-night he recommended three-headed Transit Commission in place of the present single-headed one. This might indicate that the Governor's reconstruction program is as liberal as the school teacher who was prepared to teach that the earth is round, or that the earth is flat, according to the whims of the School Trustees."

But the present Tax Commission is controlled by two Democratic Commissioners; that gave the Governor two reasons for making that department single-headed. Also, the present Transit Construction Commission is controlled by one Democratic Commissioner; that gives him one reason for making it triple-headed.

"It is interesting to note that his argument for traction difficulties in New York City leads up to eventual municipal ownership. If eventually, why not now?"

Assemblyman George N. Jones said of the message: "Based on false premises, the message is an adroit argument for an increased fare."

There is greater need than ever for new construction and extension of service means so supplied that every hour is a rush hour. The construction, the Governor says, will cost \$200,000,000 and the equipment \$200,000,000.

"Private capital will not be risked in the enterprise," he goes on, "and the city's borrowing capacity is limited by the \$200,000,000 of subway bonds now maintained out of the tax levy, while another \$200,000,000 will be required to complete projected work for which the city is obligated."

"According to the report of the Public Service Commission," again quoting from the message, "the revenues of all operating companies within the Greater City for the fiscal year ending June 30, 1920, fell short of paying operating expenses, interests, rents and other fixed charges by \$17,783,339, as against a deficit the prior year of \$2,000,000."

Attention is called to the roads in the hands of receivers, lines abandoned and service suspended, and two, three and four fares required were one sufficed before.

The ultimate solution of the problem, the message says, "must be maximum service with minimum cost for the benefit of the users of the public transportation facilities, the majority of whom have no other means of transportation." \* \* \* Consequently, the subway will form the backbone of the system. The elevated, surface lines and buses will eventually be merely auxiliary.

"The foregoing and other considerations all point to one completely unified system, and if that premise be granted it necessarily leads to the conclusion that ultimately such a system must be municipally owned. That was settled when the city decided upon municipally owned railroads."

## MILLER MESSAGE SCORED AS PLAN FOR FARE BOOST

Suggestion of Ultimate City Ownership Brings Query, "Why Not Now?"

(Special From a Staff Correspondent of The Evening World.)

ALBANY, Jan. 25.—"This message," said Minority Leader James J. Walker in the Senate last night, after the reading of the Governor's message on the transit situation in New York, "is nothing more or less than the forcing of an issue of a 5-cent fare. It may be new stuff to those of you who are here for the first time, but it is old, very old, to the rest of us. It has all been before us in the old days."

"I have read it in the Subway Sun, yes, much of the same language, particularly the figures, the sum of \$50,000,000 and of \$200,000,000 more for equipment. Gov. Miller would do away with the Board of Estimate, the power which prevents the railroads from increasing the 5-cent fare. If the editor of the Subway Sun didn't write the message, he helped a whole lot."

"In his first message the Governor advocated a single headed tax department, which has a very good sound and looks good to the taxpayers. But he reverses himself in this instance and wants to make a single headed commission a three headed one. I want to say that there has been more subway construction work done under Transit Commissioner Delaney than at any time in the history of the subway."

"And I observe that the Governor wants to make the terms of the Commission fifteen years. He knows that if the Legislature makes it possible to make the appointments they will be the last he ever will make."

"He says that the present problem has a background of crooked financing which now subjects it to popular distrust and prejudice, easily aroused by the wiles of the demagogues. Do you know the wily demagogue? There are 4,000,000 of him, and you usually see him with his hand up above his head. He is the straphanger. You men from up State don't know what it is to hang to a strap, but we do."

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## HARSH PENALTIES ON SOLDIERS FOR PETTY OFFENSES

Sixteen Thousand Cases Under Investigation—Relief Is Granted to 4,000 Men.

By David Lawrence. (Special Correspondent of The Evening World.)

WASHINGTON, Jan. 25 (Copyright, 1921).—Members of Congress who have lately visited the War Department in behalf of soldier constituents who have been disciplined for trivial offenses have gone back to Capitol Hill incensed and indignant over what they term "hard-boiled" treatment by the officers of the Regular Army.

Out of 16,000 cases it develops that the efforts of a reform element inside the Regular Army have resulted in the restoration of more than 4,000 to the status of honorable discharge. Just how many more of the remaining 12,000 are deserving of leniency is hard to conjecture.

The stigma of dishonorable discharge must be carried through life by one man who fought in France and whose offense on his return to the United States consists of taking a pair of shoes from a comrade. The soldier wanted to go to a dance and asked the Sergeant of his company if he could borrow a pair of shoes. The request was granted.

A week later when the same soldier wanted to go to a dance again, the Sergeant wasn't in the barracks and the private borrowed the shoes. When the Sergeant came home, he reported that his shoes were missing. When the private came back from the dance, he was locked up and charged with theft. His record was good. He was given six months in the barracks as a punishment.

Instances of this kind can be found in the records, and while a number of Army officers with kind hearts are distressed over the pitiful plendings of friends and relatives for justice, they can't say a word to anybody but their superior officers.

The Adjutant General's office does its duty as it sees it, and if a man's paper shows that he was convicted of theft it doesn't make a whole lot of difference whether a soldier stole a pack of playing cards or a suit of underwear or embezzled funds. The dishonorable discharge has been given just the same.

Essentially the Judge Advocate General's office is the place where questions of law and evidence and justice are concentrated. A clemency board in the Judge Advocate General's office constantly reviews cases, and recommends changes. The Adjutant General's office is a huge clerical organization where no attempt is made to inquire into questions of penalty.

There are thousands of cases hanging over from the Civil War, veterans who have been vainly endeavoring for years to rid themselves of the stamp of dishonorable discharge, but without avail. And it is said that most of the offenses are just as trivial as the borrowing of a blanket or pair of shoes without any idea of theft.

## DELANEY OPPOSES GOVERNOR'S PLAN; GARRISON FOR IT

Transit Construction Commissioner Insists on the City Retaining Control.

Transit Construction Commissioner Delaney today denounced the proposals contained in Gov. Miller's message for the elimination of New York City's control over its public utilities. "There should be no modification of fare without the consent of the people," he said. "There is no lack of rapid transit facilities—only a lack of service. There is no clash of authority. Only the outworn over-capitalized surface lines are drifting to disaster. They are paralleled by modern rapid transit lines and must pass as the stage coach did. The water has not been squeezed out of these properties."

"There will be no more subway construction for many years if the proposal to strangle the city's authority is adopted. Such a policy has failed before and it will fail again."

Lindley M. Garrison, receiver of the R. F. C. system, issued the following statement:

"It seems to me the only hope of a proper solution of the traction problem lies along the lines of the Governor's message. Unless, as he suggests, a competent body of men, vested with full authority and charged with full responsibility, takes the matter up and gives it the study it requires and reaches a conclusion just to all concerned, I do not see how it can ever be properly settled."

"The only objection to this sound and sensible method of treating this business problem (for that is what it is) will come from those who seek personal or partisan advantage in preventing a just and proper settlement."

Mr. Garrison said that he was not a member of the Board of Estimate and Apportionment, but that he was a member of the Board of Transportation, and that he was a member of the Board of Public Works.

"The people who ride in the subways," the message reads, "do not realize that in addition to their fares they are paying to maintain the cost of subway bonds, and it does not matter whether they are taxpayers or rent payers."

The transit problem, the Governor declares, is not a local, but a State problem—State-wide in importance—and can only be solved by the exercise of the police power which resides in the State Legislature. Continuing, he says:

"I believe in the greatest exercise of home rule compatible with good government. But the public interest must always be kept paramount, and when State power can be effectively exercised only by the State, it ought not be delegated to municipalities."

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## French Play and Mediaeval Pageant By Society Girls for Social Service



Junior Auxiliary of St. Luke's Social Service the Moving Spirits.

"The Man Who Married a Dumb Wife," the play by Anatole France, will be presented Jan. 25 and 26 in the ballroom of the Hotel Plaza under the auspices of the Junior Auxiliary of St. Luke's Social Service, directed by Grace Henry.

Miss Ruth Maniere is Chairman of the Entertainment Committee and the proceeds are to go to the work of the social service of the organization, for which also will be presented a French mediaeval pageant, in which many young society people will take part.

The cast of the comedy includes Leonard Cox, V. Everett Macy Jr., Van Henry Cartmel Jr., Cyril Butler, Robertson L. Cleveland, Emerson McMillin 3d, J. Berry Underhill Jr., Mrs. Herbert Groesbeck Jr., Miss Currie Duke Mathews and Miss Dorothy Post Clapp.

Songs and dances of the twelfth century will be interpolated, and among those appearing in the "masque" will be the Misses Margaret Neick, Geraldine McAlpin, Betty Finger, Edie and Dorothy Morrill, Edith McCon, Florence Clendinning, Mary Strange, Sylvia Seymour and Betty Merchant.

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## ALBANY MOVES TO INQUIRE INTO FOREIGN EXCHANGE DEALINGS BY SMALL PRIVATE BANKS HERE

Concurrent Resolution Introduced in Legislature Following The Evening World's Expose.

ALBANY, Jan. 25.

An investigation of the foreign exchange and letters of credit activities of private banks in New York City is asked for in a concurrent resolution presented in the Assembly by Assemblyman Dickstein last night. He asked for an appropriation of \$2,500 for a joint committee of three Senators and four Assemblymen.

It went to the Ways and Means Committee.

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## WHAT IS DOING TO-DAY IN CONGRESS

SENATE.

Acting Secretary of State Davis to disclose to Foreign Relations Committee confidential facts concerning Island of Yap.

Manufactures Committee continues coal hearing.

Immigration Commissioner Cunniff before Immigration Committee.

Prof. Chaffee of Harvard Law School before Judiciary Committee on charges of committee of twelve lawyers against Attorney General Palmer.

HOUSE.

Gen. Pershing gives his views on disarmament before Naval Affairs Committee.

Interstate Commerce Committee considers Towner Maternity Bill.

Agriculture Committee hears Clifford Thorne, representing farmers, on Anti-Future Trading Bill.

Ways and Means Committee continues hearings on agricultural tariffs.

Post Office Committee continues hearings of reclassification of postal employees.

Appropriations Committee considers Navy and Rivers and Harbors Bills.

## \$6,000,000 BONUS PLANNED IN CONN.

Bill Ready for Legislature Provides \$10 a Month for Service Men and Nurses.

HARTFORD, Conn., Jan. 25.—The House bill, now ready, supported by the Veterans of Foreign Wars, individual service men, provides a bonus of \$10 for every month of service from April 6, 1917, to Nov. 11, 1918, to every former member of the Army, Navy, Marine Corps and Nurse Corps.

The bill empowers the State to issue bonds to the amount of \$6,000,000 for this purpose. The bonds will be administered by a committee of three, consisting of one Veteran of Foreign Wars, one American Legionnaire, and one American Legionnaire, similarly chosen, and a civilian who has never served in any branch of service. These men will receive \$12,000 a year.

The bill also provides a fund of \$50,000 to meet the expenses of checking the service men, investigating their claims and incidental expenditures.

## FIRST SUIT FOR SHIP SUNK BY U BOAT

Porto Rico Company Asks \$275,000 for Carolina, Destroyed Off Jersey Coast.

WASHINGTON, Jan. 25.—The first suit to recover damages from the government for a ship sunk by German submarines during the war was begun today in the Court of Claims by the New York and Porto Rico Steamship Company.

The company claims that it has been damaged \$275,000, the value of its steamship, Carolina, which while under Government operation and bound from San Juan, Porto Rico, to New York was attacked by a German submarine and sunk off the New Jersey coast on June 2, 1918.

The company has received \$127,704 by the \$100,000 bond and also in the Court of Claims for a bonus of \$127,704.

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## BRINDLE THREATS DROVE OUT UNION MEN ON BIG JOB

(Continued From First Page.)

ation—known in the trade as "The Wild Men."

Q. Did you have any talk with Brindell about this change? A. Yes. I saw him April 5, and he said we would have to let the contract for the wrecking to a firm which would employ men of the new union. He gave me the names of three firms among which I was free to make a choice.

Q. What were the three? A. The Northern Wrecking Company was one.

Q. That is Atwell's? A. Yes.

Q. And the other two? A. George F. Atwell as an individual and the Demolition Company.

Q. And who controls the Demolition Company? A. George Atwell.

Q. Did you comment on his limiting you to these three Atwell concerns? A. No, I told him the contract had been let. I was mistaken, it had been promised to William Waike, the Garden City Wrecking Company, to whom it was later given.

Brindell later asked aid of the Fuller concern in forcing Waike to discharge the Zankov men. Waike was obstinate. Chairman Kelly of the Building Trades Employers' Association called Mr. Whiting and Brindell in conference in his trade union office. Mr. Whiting ordered Mr. Kelly to order Mr. Whiting to obey Brindell. Brindell said if Waike were not dismissed every Fuller job in the United States would be "pulled." Brindell accused Mr. Whiting of calling him a crook and said the Fuller company could do no more building until the charge was proved true or withdrawn.

Brindell reached an agreement with President Paul Sturtevant of the Fuller company. All the men who were on strike in various Fuller jobs through the city went back to work.